IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4825 OF 2005

M/s.Tefcon Bearings Pvt.Ltd. ...Applicant

vs.

M/s.Dhatushilp ...Respondents

Mr.S.S.Pandit for the Applicant
Mr.A.A.Shitole,A.P.P. for State
S/Shri Venkatesh A. Shastry & Bhaghchand C. Palrecha for
Respondent No.1

CORAM: A.S.OKA,J.
DATE : OCTOBER 4,2006.

P.C.:

1. Heard Advocates appearing for the parties. By this Application under section 482 of the Code of Criminal Procedure, 1973, the Applicant has prayed for recall of order issuing process against the Applicant in a private complaint filed by the first Respondent.

2. In view of the decision of this Court in case of V.K.Jain and others vs. Pratap Padode and another reported in 2005 (3) Mh.L.J. page 778, remedy of filing a Revision Application is available to the Applicant for challenging the order issuing process. In view of the said decision, this Application is not entertained. Application is disposed of with liberty to the Applicant to file a Revision Application before the appropriate Sessions Court.

3. If such Revision Application is preferred by the Applicant, the concerned Sessions Court is bound to take note

of the fact that this Application was filed in this Court on 25th July 2005 and this Court issued notice on the said Application and that the said Application remained pending till today.

4. To enable the Applicant to file a Revision Application before the appropriate Sessions Court and to enable him to apply for appropriate interim relief, ad-interim relief granted by this Court on 28th November 2005 is extended for a period of ten weeks from today.

JUDGE